



DECEMBER 1993

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FCC - MAIL ROOM

May 13, 1994

Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

The following comments are in response to the notice of inquiry  
in MM Docket No. 94-34:

As a small market broadcaster, I am perplexed to hear that the  
FCC is taking actions and considering proposals that make operating  
a radio station more difficult than ever.

My primary concerns relate to the FCC's imposing penalty fines for  
stations that fail to attract minority applicants for at least 66  
percent of hires. I don't believe this is realistic or achievable.  
Further, it's unfair that recent actions penalize broadcasters  
retroactively as to FCC rulings and policies just recently enacted.  
It seems to us that a practical and reasonable approach to EEO rules  
must be adopted. We are competing with many larger radio stations  
from nearby markets, our local newspaper, our local cable system,  
TV stations from nearby markets, and many other entities.

To survive in this environment, a station must program for full  
service, it must hire for full service, and it must be able to  
compete to provide full service.

Our problem is not only one of trying to get minority applicants,  
our problem is getting a response from anyone, period.

kpan/kpan-fm  
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levelland, texas

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In many small markets such as ours, we simply do not have applicants for many job openings regardless of experience, race, color or creed. It is increasingly difficult to get qualified applicants from anyone, anywhere. It is getting harder to get people to move to and live in your town; they like the bigger places and don't care to move to a place they've never heard of.

We would welcome applicants, we would welcome more diversity -- we feel very lucky to get enough applications to make a choice, regardless of age, sex, color or background.

We think the circumstances are unfair even in a less stringent atmosphere. Our goal is to find someone willing to work, willing to learn, willing to be a part of a small-market, competitive situation.

To add more "red tape" and rules and regulations would do very little, realistically, to enhance EEO opportunities. Such additional burdens, by affecting our productivity and bottom line abilities, could in fact hinder our efforts to seek and hire more minorities.

We must compete for listeners to survive. Some of the few applicants we receive simply do not have a command of the English language, and diction and pronunciation can create a very real 'marketplace' problem. Presentation of our product is judged by both listeners and clients.

We have one bilingual announcer who is very good, but he is a rare exception. (And incidentally, he wasn't recruited as part

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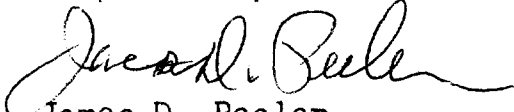
of an EEO-mandated search; he's a "local" who works two jobs that we came across almost by accident.)

Surely there's a common sense approach to policing our industry without instituting guidelines that no businessperson in any field of endeavor could agree are fair or reasonable.

We want to do what's right; we want to abide by the rules. But we hope the FCC won't develop such stringent rules that we're forced out of business because we can't comply.

I hope you'll seek input from our leadership in the National Association of Broadcasters and state organizations so we can offer positive suggestions to help meet the desired goals.

Respectfully submitted,



James D. Peeler  
Partner/General Manager  
KPAN Broadcasters